



Robert E. Littlefield, Jr.  
Chief, United States Bankruptcy Judge

So Ordered.

Signed this 24 day of April, 2014.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK  
ALBANY DIVISION

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*In re:*

**Case No.: 13-12544**

**L&A Automotive Center, Inc.,**

**Chapter 11**

*Debtor.*

-----X

**Order Dismissing Case**

**UPON**, the hearing on the United States Trustee's Motion to Convert Case to Chapter 7, or in the Alternative, to Dismiss Case ("Motion") (Doc. No. 15), scheduled for and heard on April 2, 2014, and further

**UPON**, good notice and proper service of the notice of motion and Motion, and further

**UPON**, the appearances of Richard H. Weiskopf, Esq. for the Debtor and Kevin Purcell, Trial Attorney, for William K. Harrington, United States Trustee for Region 2, and further

**UPON**, the record of the hearing held on April 2, 2014, and the entire record before the Court, and further

**UPON**, the Debtor's consent to the entry of *Interim Conditional Order Dismissing Case* and its entry on the docket of this case on April 3, 2014 (Doc. No. 34), and further

**UPON**, the filing by the United States Trustee of an *ex parte* application reciting the terms and conditions stated in the *Interim Conditional Order Dismissing Case* that the Debtor has failed to comply with, as an attachment to this Order, it is

**ORDERED**, that this case shall be and now is dismissed.

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK  
ALBANY DIVISION

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*In re:*

**Case No.: 13-12544**

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**Chapter 11**

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***Ex Parte Application for  
Order Dismissing Case***

TO: HON. ROBERT E. LITTLEFIELD, JR.,  
CHIEF UNITED STATES BANKRUPTCY JUDGE

William K. Harrington, the United States Trustee for Region 2 (“United States Trustee”), by and through counsel, in furtherance of certain duties and responsibilities, pursuant to 28 U.S.C. § 586(a)(3) and (5), respectfully submits this *ex parte* application for the entry of an order dismissing this case, in compliance with the prior *Interim Conditional Order Dismissing Case*, entered on April 3, 2014 (Doc. No. 34).

In support of this *ex parte* application, the United States Trustee respectfully represents and alleges as follows:

1. On April 3, 2014, an *Interim Conditional Order Dismissing Case* was entered (“Conditional Order”) (Doc. No. 34).
2. The Conditional Order had two requirements:

**ORDERED**, that the Debtor shall, by the close of business April 18, 2014, amend all filed operating reports to comply with the United States Trustee’s Guidelines for a Debtor-in-Possession, and it is further

**ORDERED**, that the Debtor shall remain current with the filing of monthly operating reports and payment of quarterly fees due pursuant to 28 U.S.C. § 1930(a)(6), within ten days of the respective due dates, until the case is converted to Chapter 7, dismissed or administratively closed.

3. Neither requirement was accomplished.

4. On April 22, 2014, Debtor's attorney filed financial data labeled as the March 2014 monthly operating report (Doc. No. 40). However, the document fails to comply with the United States Trustee's Operating Guidelines for a Debtor-in-Possession. No amended operating reports have been filed.

**WHEREFORE**, the United States Trustee respectfully requests that the attached proposed order be entered, dismissing this Chapter 11 case.

Dated: Albany, New York  
April 24, 2014

Respectfully submitted,

WILLIAM K. HARRINGTON  
UNITED STATES TRUSTEE  
FOR REGION 2

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